

ATTORNEY FOR PRIMEWEST MORTGAGE CORPORATION: Kent Hale, Craig, Terrill , Hale & Grantham, L.L.P., P.O. Box 1979, Lubbock, Texas 79408-1979, (806) 744-3232.

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:	§	CASE NO. 08-70028-HDH
CODY JAMES PASCHALL and	§	
APRIL MARIE PASCHALL	§	CHAPTER 13

STIPULATION TO MAINTAIN AND/OR REINSTATE  
AGREED ORDER MODIFYING THE AUTOMATIC STAY ON  
MOTION OF PRIMEWEST MORTGAGE CORPORATION

To the Honorable United States Bankruptcy Judge:

Comes now Debtors, CODY JAMES PASCHALL, APRIL MARIE PASCHALL, and PRIMEWEST MORTGAGE CORPORATION ("Primewest") by and through their attorneys of record and would stipulate as follows:

1. An Agreed Order Modifying the Automatic Stay on the Motion of Primewest Mortgage Corporation was entered on April 23, 2008 (the "Agreed Order"). Under the Agreed Order, Debtors were to resume payments to Primewest on their mortgage loan on their residence.
2. Pursuant to the Agreed Order, a post-petition arrearage was added to increase the

arrearage to be paid under the Plan to \$7,216.94.

3. After the entry of Agreed Order, the Debtors defaulted in making the payments required under the Agreed Order. Notice of default was sent to Debtors as required by the Agreed Order by Primewest through its attorney.

4. Subsequent to the default, an agreement has been reached between Primewest and Debtors so as to allow Debtors to increase Primewest's claim to be paid by the Chapter 13 Trustee through Debtors' Chapter 13 Plan to Primewest. An additional \$7,116.51 is stipulated to be paid by increasing Primewest's claim to be paid under the Debtors' Chapter 13 Plan. The \$7,116.51 represents the following arrearage:

1.	September 1, 2008 <u>direct payment</u> in the amount of:	\$ 961.31
2.	October 1, 2008 <u>direct payment</u> in the amount of:	\$ 961.31
3.	November 1, 2008 <u>direct payment</u> in the amount of:	\$ 961.31
4.	December 1, 2008 <u>direct payment</u> in the amount of:	\$ 961.31
5.	January 1, 2009 <u>direct payment</u> in the amount of:	\$ 961.31
6.	February 1, 2009 <u>direct payment</u> in the amount of:	\$ 961.31
7.	March 1, 2009 <u>direct payment</u> in the amount of:	<u>\$ 961.31</u>
		\$6,729.17

Late charges:	(6 x \$31.48)	\$ 188.88
Unpaid charges:		<u>\$ 250.46</u>
Subtotal:		\$7,168.51

Less Unapplied customer paid:	-500.00-
Property Inspections:	\$ 98.00
Attorney's Fees to send out default notice pursuant to Agreed Order:	<u>\$ 50.00</u>
Total for Reinstatement:	\$6,816.51

Attorney's fee incurred by Primewest due to debtors' default:	<u>\$ 300.00</u>
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Total:	\$7,116.51
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The total amount of Primewest's claim to be paid pursuant to the Plan is \$7,216.94, plus 10% interest, less all previously payments made by the Trustee, plus \$7,116.51, the sum by this Stipulation, for a the total arrearage of \$14,333.45, which bears interest as provided in the Plan.


5. Debtors shall resume with the April 1, 2009 direct payment in the amount of \$961.31 to Primewest.

6. The Parties have stipulated and agreed to the entry of this Stipulation, and Debtors and Primewest believe this Stipulation is in the best interest of the Parties.

7. The Court having considered this Stipulation, it is so ORDERED by the Court.

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**AGREED AND APPROVED:**

  
 Monte J. White, Attorney for Debtor(s)

  
 Kent Hale, Attorney for Movant

/s/ Marc McBeath

Marc McBeath, Attorney for Ch. 13 Trustee

Respectfully submitted by:

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Parties entitled to notice:

Cody James Paschall, Debtor  
 4641 Summit  
 Wichita Falls, TX 76310

April Marie Paschall, Debtor  
 4641 Summit  
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 3/18/09

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U.S. Trustee  
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